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# Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

**Summary record of the 8th meeting**
Held at Headquarters, New York, on 12 June 2006, at 10 a.m.

*Chairman*: Mr. Hunte ..... (Saint Lucia)

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06-38302 (E)

*The meeting was called to order at 10.30 a.m.*

**Adoption of the agenda**

1. *The agenda was adopted.*

**Special Committee decision of 13 June 2005 concerning Puerto Rico** *(continued)*
(A/AC.109/2006/L.3 and A/AC.109/2006/L.7)

2. **The Chairman** informed the Committee that the delegation of Panama had indicated its wish to participate in the Committee's consideration of the item. In accordance with established practice and since there were no objections, he invited the delegation of Panama to take a place at the Committee table.

*Hearing of petitioners* (Aides-memoires 03/06 and Add.1 and 2)

3. **The Chairman** said that the number of requests for hearing received by the Committee was double that of 2005. The Committee had studied the report of December 2005 of the inter-agency Task Force on Puerto Rico's Status designated by the President of the United States of America, which presented certain perspectives on the evolution and future options of Puerto Rico. It had also reviewed the report of the United States Congressional Research Service of June 2005 entitled "Political Status of Puerto Rico: Background, Options and Issues in the 109th Congress", which also shed light on contemporary views on the matter. More recently, it had reviewed the various items of legislation before the United States House of Representatives concerning the political evolution of Puerto Rico and had noted with interest the views expressed during the hearings held before the House of Representatives Committee on Resources in April 2005.

4. He informed the Committee that the Bolivarian Republic of Venezuela had joined in sponsoring the draft resolution submitted by the delegation of Cuba (A/AC.109/2006/L.7).

5. *At the invitation of the Chairman, Mr. Fontanet Maldonado (Colegio de Abogados de Puerto Rico) took a place at the petitioners' table.*

6. **Mr. Fontanet Maldonado** (Colegio de Abogados de Puerto Rico) said that it was more urgent than ever before that the Special Committee recommend that the question of Puerto Rico be referred to the General Assembly, and that it should also promote a constitutional assembly on status as the appropriate mechanism to bring about Puerto Rico's decolonization.

7. Recent events demonstrated clearly the lack of willingness on the part of the United States Government to address the issue with due seriousness and in accordance with applicable international legislation. The only meaningful contribution of the report of the inter-agency Task Force on Puerto Rico's Status to the discussion on the question of Puerto Rico had been its affirmation that Puerto Rico remained a territory subject to United States congressional authority under the Territorial Clause of the United States Constitution. The proposal contained in the report for a plebiscite on the territorial status of Puerto Rico was unacceptable, since it implied that the process of decolonization would be launched in the United States Congress rather than in Puerto Rico, and did not envisage any non-colonial or non-territorial alternatives to the status quo that would be acceptable under international law. A new or amended bilateral compact of association or pact was not a viable alternative. It was also objectionable that any dispute or claim arising from the conduct of the plebiscite would fall exclusively within the competence of the United States Federal Court rather than that of Puerto Rico's national courts.

8. There had been a number of recent incidents in which the Federal Bureau of Investigation (FBI) had violated the civil and human rights of Puerto Ricans, including the assassination by FBI agents of pro-independence leader Mr. Filiberto Ojeda Rios on 23 February 2005, on which occasion lawyers, doctors and journalists had been refused access to the scene of the incident. In February 2006, the FBI had executed search warrants on the homes and businesses of persons active in religious, social, community and political movements. As a result, property had been destroyed, persons had been physically attacked and lawyers had been prevented from carrying out their work. FBI agents had physically attacked journalists who had been covering the event, thus limiting the dissemination of information concerning the actions of the FBI during that operation. Efforts by the Government of Puerto Rico to bring those responsible to justice had been repeatedly obstructed by the United States Government.

9. The Puerto Rican people were weary and indignant of the political situation in Puerto Rico, which was a matter of shame for the international community, particularly given that the period 2001-2010 had been declared the Second International Decade for the Eradication of Colonialism.

10. *Mr. Fontanet Maldonado withdrew.*

11. *At the invitation of the Chairman, Mr. Ortiz Guzmán (Organización Autonomista Pro Estado Libre Asociado de Puerto Rico (PROELA)) took a place at the petitioners' table.*

12. **Mr. Ortiz Guzmán** (Organización Autonomista Pro Estado Libre Asociado de Puerto Rico (PROELA)) said it was regrettable that the Committee had not yet taken the necessary steps to set in motion the process of decolonization of Puerto Rico. The 24 resolutions adopted by the Committee in relation to the issue had failed to lead to any concrete steps by the United States of America towards decolonization. Firm and prompt action was required in order to attain the goals set out under the Charter of the United Nations and to ensure that the United States of America complied with its obligations before the international community. To that end, his delegation requested the Committee to send a mission to Puerto Rico, inter alia to conduct public hearings, thus enabling the Committee to verify the situation on the ground.

13. Any process to resolve the question of status should originate from the people of Puerto Rico and any solution to the problem must be conceived within the framework of the United Nations and in conformity with the right to self-determination. In that regard, his organization reiterated its support for a constitutional assembly on status.

14. Fresh and unequivocal evidence had emerged that the United States of America was hindering Puerto Rico's sustainable economic, political and social development by preventing it from joining international organizations, even in the capacity of observer. In view of the precarious economic and social situation of Puerto Rico, that evidence must be taken into account in discussing and adopting a new resolution, and to that end he was submitting the relevant documents to the Committee for its consideration. He called on the Committee to take immediate action to refer the question of Puerto Rico to the General Assembly for comprehensive consideration.

15. *Mr. Ortiz Guzmán withdrew.*

16. *At the invitation of the Chairman, Mr. Martin-García (Partido Independentista Puertorriqueño) took a place at the petitioners' table.*

17. **Mr. Martín-García** (Partido Independentista Puertorriqueño) welcomed the participation in the Committee's meeting of representatives of the Conferencia Permanente de Partidos Políticos de América Latina y el Caribe (COPPAL) and the Comité para América Latina y el Caribe de la Internacional Socialista (CALCIS), which represented a decisive step towards the engagement of virtually all political forces in the region in the struggle for the decolonization and independence of Puerto Rico. He also welcomed the consistent and sustained efforts of the Cuban delegation over the decades, which had enabled the Committee to play a key role in the fight for Puerto Rican decolonization and independence.

18. He commended the Committee for taking note, in the seventh preambular paragraph of the draft resolution (A/AC.109/2006/L.7), of the December 2005 report of the inter-agency Task Force on Puerto Rico's Status designated by the President of the United States of America, since that report reflected the Committee's efforts over the years to affirm its jurisdiction over the question of Puerto Rico as a colony and to proclaim the inalienable right of the Puerto Rican people to self-determination and independence, in spite of often difficult circumstances created by pressures exerted by the United States Government.

19. His organization welcomed the new wording of the draft resolution as an important initial step towards comprehensive consideration of the question of Puerto Rico by the General Assembly within a reasonable time frame. It was encouraging that the United States of America had acknowledged Puerto Rico as a non-self-governing territory. In that regard, it should be noted that steps towards decolonization had been hampered not only by the United States Government but also by certain elements among the leadership of the ruling party of the Puerto Rican Government who sought to maintain the status quo in order to protect their own political and economic interests and therefore attempted to place obstacles in the path of any initiative that might set in motion a process of genuine change.

20. While the convocation of a constitutional assembly on status was a welcome step forward, any alternatives proposed must conform to applicable international law. The constitutional assembly on status must not defend the ruling party in its attempt to present Puerto Rico's current status of subordination — which it refused to recognize as colonial — as a legitimate option. In view of the new position adopted by the United States of America, such an attitude of servility constituted an unprecedented act of submission. Colonialism in Puerto Rico violated the basic human rights and democratic principles of Puerto Ricans, and increasingly acted as an economic straitjacket that perpetuated their underdevelopment and marginalization, as amply reflected by the country's current fiscal crisis and economic regression.

21. *Mr. Martín-García withdrew.*

22. *At the invitation of the Chairman, Ms. Centeno Rodríguez (Puertorriqueños en Defensa del Patrimonio Nacional) took a place at the petitioners' table.*

23. **Ms. Centeno Rodríguez** (Puertorriqueños en Defensa del Patrimonio Nacional) drew attention to recent and pending United States legislation that authorized the United States of America inter alia to exploit Puerto Rico's natural resources and conduct scientific experiments on Puerto Rican territory that would have a negative impact on the environment. Her organization condemned the fact that Puerto Rico had not been consulted regarding the legislation, and that those laws pending authorized the use of Puerto Rican territory for the production, storage, testing and decommissioning of nuclear weapons and their components, including at unsupervised facilities, thus violating Puerto Rico's right to refuse such facilities and contravening articles I and III of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

24. She urged the Committee to take action to end the degrading and inhuman treatment and violation of the human rights of Puerto Ricans by the United States of America. Such action would benefit all peoples at threat from colonialism and vassalage. She urged the Committee to refer the question of Puerto Rico to the General Assembly and to send a special mission to Puerto Rico to assess the scientific experiments that were being conducted, prevent further violations of international treaties and encourage the prompt transition of Puerto Rico to full independence.

25. *Ms. Centeno Rodríguez withdrew.*

26. *At the invitation of the Chairman, Mr. Rivera Reyes (Colectivo Autonomista Puertorriqueño) took a place at the petitioners' table.*

27. **Mr. Rivera Reyes** (Colectivo Autonomista Puertorriqueño) said that the events surrounding the approval of Puerto Rico's Constitution, in 1952, and the creation of the Free Associated State of Puerto Rico had undeniably been marks of political progress. Since that time, however, the administering Power had taken no discernible steps to comply with the right of peoples to self-determination, set forth in General Assembly resolutions 1514 (XV) and 2625 (XXV). Consequently, halfway through the Second International Decade for the Eradication of Colonialism, the people of Puerto Rico had still not been given the opportunity to assert that right.

28. In the United States Congress, committees of both legislative chambers were working on draft legislation that once again sought to pre-empt the will of the Puerto Rican people. At the end of 2005 the White House Task Force on Puerto Rico's Status had concluded that the United States Government could do as it wished with respect to the people of Puerto Rico, including ceding the island to another nation on a unilateral basis.

29. For five decades Puerto Ricans had been calling for a change in their nation's relationship with the United States of America, but they had been greeted with virtual silence. On the few occasions that the United States had broken that silence, it had done so merely to imply its dominion over Puerto Rico, in a direct attack on the sprit and aspirations expressed by the General Assembly in its resolution 748 (VIII) ending the obligation of the United States of America to submit reports on the question of Puerto Rico in accordance with the Charter of the United Nations.

30. His organization therefore wished to make the following recommendations to the Special Committee. First, the Committee's 2006 resolution on the question of Puerto Rico should be submitted to the plenary of the General Assembly. Second, the Committee should appoint a representative committee to hold hearings in Puerto Rico with a view to enhancing the implementation of the Committee's mandate in accordance with paragraph 6 of General Assembly resolution 1654 (XVI). Third, a constitutional assembly on status or other body, established and freely administered by the Puerto Rican people, should be

established to consider the question, and the United Nations should provide relevant advice and technical assistance.

31. *Mr. Rivera Reyes withdrew.*

32. *At the invitation of the Chairman, Mr. Carvajal Moreno (Conferencia Permanente de Partidos Políticos de la América Latina y el Caribe) took a place at the petitioners' table.*

33. **Mr. Carvajal Moreno** (Conferencia Permanente de Partidos Políticos de la América Latina y el Caribe) said that the people of Puerto Rico were an integral and inseparable part of Latin America. In 1979 his organization had adopted a resolution, repudiating the colonial regime under which Puerto Rico suffered and expressing solidarity with its independence. At the beginning of the twenty-first century, the people of Puerto Rico had still not gained full control over their political destiny.

34. Throughout the twentieth century the United States of America had used Puerto Rico's geopolitical situation as the cornerstone of its policies on the southern hemisphere. The independence of Puerto Rico had thus been inconsistent with the geopolitical interests of the United States. However, the current political climate was very favourable to the independence and decolonization of Puerto Rico. With the end of the cold war, Puerto Rico had lost its military value to the United States, which had consequently been forced to rethink its relationship with the island.

35. The Committee should take note of the report of the White House Task Force on Puerto Rico's Status, whose publication in December 2005 had represented the first time that the Administration had publicly and formally acknowledged that Puerto Rico was an unincorporated territory, subject to the full powers of the United States Congress. The report had also proposed that the people of Puerto Rico should be allowed to express themselves democratically in order to end their situation of political subordination.

36. As a result, preliminary steps had been taken in the United States Congress with a view to implementing the recommendations of the Task Force. The United States Administration's recognition of the colonial status of Puerto Rico had vindicated the position of his organization. It was of course for the Puerto Rican people to exercise their right to self-determination and independence, but it was the responsibility of the international community to ensure that they could exercise that right as soon as possible.

37. His organization therefore urged the Committee to adopt a resolution calling on the General Assembly to consider the question of Puerto Rico and reaffirming the inalienable right of its people to self-determination and independence, as well as the obligation of the United States of America to commit itself to the decolonization of the island.

38. *Mr. Carvajal Moreno withdrew.*

39. *At the invitation of the Chairman, Mr. Alfonsín (Comité para América Latina y el Caribe de la Internacional Socialista) took a place at the petitioners' table.*

40. **Mr. Alfonsín** (Comité para América Latina y el Caribe de la Internacional Socialista) said that in April 2006 his organization had unanimously adopted a resolution in support of Puerto Rico's independence. Puerto Rico was a Latin American nation whose independence had been sought by the countries of Latin America since the beginning of the nineteenth century. Only when all Latin American countries had achieved independence and all Latin American territory was under Latin American sovereignty would the aspirations and mandate of their founders be wholly fulfilled.

41. As an Argentine national, he supported Puerto Rico's inalienable right to full independence with the same fervour that he had always supported his country's imprescriptible sovereignty over the Malvinas. Colonialism was by definition contrary to democracy, which was based on the right of citizens to elect those who governed them. The current colonial situation of Puerto Rico was in violation of that right.

42. Despite more than a century of colonial rule by the United States the people of Puerto Rico had always fought to regain their sovereignty. The day was therefore near when Puerto Rico would join the independent nations of Latin America. The Committee must help Puerto Ricans in that endeavour by adopting a resolution reaffirming its inalienable right to self-determination and independence and calling on the General Assembly to consider the colonial situation of Puerto Rico as soon as possible.

43. *Mr. Alfonsín withdrew.*

44. *At the invitation of the Chairman, Ms. Ramos (American Association of Jurists) took a place at the petitioners' table.*

45. **Ms. Ramos** (American Association of Jurists) said that most conflicts in Latin America and the Caribbean were caused by the interventionist and imperialist policies of the United States of America. Her organization was fully committed to the eradication of colonialism and to the inalienable right of the people of Puerto Rico to self-determination and independence. It also supported the draft resolution before the Committee, which should take all necessary steps to ensure that the question of Puerto Rico was taken up by the plenary of the General Assembly.

46. Her organization wished to note a number of acts recently committed by United States security forces in Puerto Rico, including the assassination of independence leader Filiberto Ojeda. Such acts signalled the beginning of a new cycle of political repression and intervention which was in violation of international law on countries and peoples under colonial occupation. The United States of America should free the Puerto Rican citizens imprisoned in United States jails for activities relating to their country's struggle for independence.

47. *Ms. Ramos withdrew.*

48. *At the invitation of the Chairman, Mr. Brás (Causa Común Independendista and Comité Puerto Rico en la ONU) took a place at the petitioners' table.*

49. **Mr. Brás** (Causa Común Independendista and Comité Puerto Rico en la ONU) said that, by sponsoring the draft resolution on Puerto Rico (A/AC.109/2006/L.7), Cuba had once again demonstrated its solidarity with Puerto Rico's struggle. The draft, though somewhat diluted, contained important elements that reflected Puerto Rico's current demands on the United Nations. His organization wished to table three amendments.

50. First, the seventh preambular paragraph should be deleted, for it was incorrect to state that the inter-agency Task Force on Puerto Rico's Status designated by the President of the United States of America had submitted its report on 22 December 2005 and affirmed that Puerto Rico was a territory subject to United States congressional authority. No such report existed. What existed was a draft delivered to the White House by a relatively insignificant group in the executive branch. The United States President had not even read the report, which was the result of blatant manipulation by the most colonialist sector of the United States Government and its supporters in Puerto Rico and an insult to the national dignity of all Puerto Ricans. It would be a huge contradiction if the Committee officially recognized it. It was not the first time that Washington had tried to manipulate the Committee's opinion regarding Puerto Rico. The paragraph in question was, moreover, a contradiction of the preambular paragraphs immediately before and after it.

51. Second, his organization believed it was essential for paragraph 5 to condemn the assassination of Filiberto Ojeda Ríos. It was not enough to express concern; the Committee must strongly condemn the criminal actions of the FBI.

52. Lastly, paragraph 6 should be amended. It was not enough to reiterate the hope that the General Assembly would give comprehensive consideration to the question of Puerto Rico in all its aspects. The resolution needed to express the urgency of doing so. The situation was already an urgent one. There had been 24 Committee resolutions and decisions in 34 years. The United States of America had ignored its repeated calls for the Puerto Rican people's inalienable right to self-determination and independence to be recognized. Representatives of the whole political spectrum had now come together to call on the General Assembly to decide what were the Puerto Rican people's rights today. Not to do so would be to allow the United States to continue to sideline the sovereignty claims of the main colony of today's most powerful empire.

53. *Mr. Brás withdrew.*

54. *At the invitation of the Chairman, Mr. Castillo Morales (Partido Nacionalista de Puerto Rico) took a place at the petitioners' table.*

55. **Mr. Castillo Morales** (Partido Nacionalista de Puerto Rico) said that colonialism was hindering peace and development in his country. His organization called on the Committee to support Puerto Rico's freedom and its right to self-determination in the hope that it could join the United Nations as a Member State in its own right.

56. He urged the United States Government to grant Puerto Rico the right to self-determination and to respect its people's human rights. It should stop its

persecution, arrests, imprisonments and killing of people who campaigned for freedom in Puerto Rico. All Puerto Rican political prisoners should be released, the FBI should stop its surveillance of Puerto Ricans and harassment of independence activists. The United States should confess to the political assassinations it had orchestrated. In particular, those responsible for the murder of Filiberto Ojeda Rios should be brought to trial. The FBI must stop using force and chemical weapons against journalists. The United States should decontaminate all areas of Puerto Rico it had polluted, including Culebra and Vieques.

57. The fate of Puerto Rico depended on the will of the United States Congress, which continued to invoke its Constitutional Territorial Clause to exercise tyranny over Puerto Rico. Puerto Rico's delisting in 1953 had misled the international community; a true act of self-determination in accordance with the provisions of international law had not taken place. When Puerto Rico finally became an independent State, the United States should make considerable reparations for the irreparable damage it had done to the people and territory of Puerto Rico. His organization believed the time had come for the United States to give Puerto Rico its independence. He called on the Special Committee to support that objective.

58. *Mr. Castillo Morales withdrew.*

59. *At the invitation of the Chairman, Mr. Duprey Salgado (Movimiento Autonomista Socialdemócrata de Puerto Rico) took a place at the petitioners' table.*

60. **Mr. Duprey Salgado** (Movimiento Autonomista Socialdemócrata de Puerto Rico) said that his organization had been established in 2006 to advocate free association between the United States of America and Puerto Rico in accordance with the relevant provisions of international law. The organization recognized the important role the Committee had played in defending the rights of the Puerto Rican people to self-determination. His organization's objectives were in line with all the relevant instruments, particularly General Assembly resolutions 1514 (XV) and 1541 (XV).

61. He urged the United Nations to take a more proactive role in resolving the situation of Puerto Rico. That was particularly pressing in the light of recent statements by the United States disparaging the Puerto Rican people's proven desire to exercise their self-determination. The increased influence of the United States Government over Puerto Rico, its insistence on ignoring calls for free association by the people of Puerto Rico, recent developments in international law and models of association between other countries, and the fact that the case still came under the jurisdiction of the Special Committee all proved that the relationship between the United States of America and Puerto Rico was based on the concept of a colony.

62. Draft legislation anticipating the definitive decolonization of Puerto Rico had been drawn up in both the United States of America and Puerto Rico. His organization supported the establishment of a constitutional assembly on status that would give Puerto Ricans a say in their political future, on the condition that all proposals were clearly defined as non-colonial. While Puerto Rico was responsible for conducting its relations with other countries, including the United States of America, the international community had an important role to play in any such deliberations. The General Assembly should therefore re-examine the case of Puerto Rico, a particularly urgent case in the light of recent statements on the issue by the United States Government. He urged the Special Committee to support that recommendation.

63. *Mr. Duprey Salgado withdrew.*

64. *At the invitation of the Chairman, Mr. Ojeda Serrano (Movimiento Independista Nacional Hostiano and Rompiendo el Perimetro) took a place at the petitioners' table.*

65. **Mr. Ojeda Serrano** (Movimiento Independista Nacional Hostiano and Rompiendo el Perimetro) said that, as the son of the murdered activist, Filiberto Ojeda Rios, he had come before the Special Committee to speak on behalf of his family. The extrajudicial execution of an independence advocate was one of the most inhumane and barbaric acts a colonized country could suffer. While there was ample proof that the United States Government had ordered his father's execution on 23 September 2005, official investigations had been inconclusive and all relevant information remained confidential. One could only conclude, therefore, that the truth was being hidden.

66. The whole operation had been carefully planned. According to the autopsy, his father had received a single bullet wound and had been left to bleed to death. Before he died, he had been able to negotiate his wife's life, and he had asked a journalist to save his life, but

that had been denied. The orders were clear, he could not be allowed to live.

67. In the aftermath of the assassination, the United States forces and the FBI had prepared to clamp down on independence fighters. They had assumed that the murder would be met with spontaneous and disorganized violence that would justify a crackdown on the independence movement under the auspices of anti-terrorism. Puerto Ricans had, however, been unanimous in their abhorrence of that brutal act by the United States. His family had urged people to channel their anger into an intelligent, coordinated and unified struggle for independence.

68. As his father had done, he urged the Committee to back the people of Puerto Rico in their struggle for freedom. The time had come to put a stop to the bloodshed, lengthy prison sentences and suffering by defendants of Puerto Rico's right to self-determination. Their freedom of expression and their right to disseminate patriotic sentiment, as well as their right to life, should be respected. Puerto Rico should be able to exercise its right to freedom, to control its economy, diplomatic relations and international trade, and to protect its natural resources and culture. On a personal note, he demanded that the United States Government should stop interfering in his freedom to travel. He was not a criminal or a terrorist; he was the son of a martyr.

69. *Mr. Ojeda Serrano withdrew.*

70. *At the invitation of the Chairman, Mr. Sánchez Rivera (Coordinadora Nacional Rompiendo el Perímetro) took a place at the petitioners' table.*

71. **Mr. Sánchez** (Coordinadora Nacional Rompiendo el Perímetro) said that his organization — a regional group based in western Puerto Rico — had come about following the assassination of Filiberto Ojeda Ríos. Its aims were to denounce his assassination, demand that the necessary investigations be carried out and those responsible charged, and warn pro-independence activists about the political repression that had been unleashed.

72. The western region had always been one of intense activism and patriotism. As a consequence, it had suffered many periods of repression and persecution, all of which were well documented. The region was currently in the throes of one of the worst civil rights crises it had ever known. His organization intended to use all means possible to stop the new wave of repression. Puerto Rico did not deserve another blow to its legitimate aspirations to sovereignty. It was a cause of immense suffering that comrades were in jail in the United States for the crime of militancy. Their disproportionate sentences were an insult and their physical and psychological integrity a matter of grave concern. The actions taken against them were unjustified under United States and international law. Puerto Rico did not want any more abuses, prisoners, martyrs or deaths.

73. Following the assassination of Filiberto Ojeda Ríos, the FBI had begun harassing independence fighters at home and at work. Some they had tried to blackmail, others they had used to relay threats to the whole independence movement. There were reports of aircraft flying over homes, people being followed or photographed, telephone reception being lost, information disappearing from computers, and neighbours and colleagues being questioned. Furthermore, there had been an unnecessarily large police presence at political events and demonstrations. The message was clear: the independence movement was dangerous and must be kept under control. Such actions restricted the freedom of association and expression, and created a climate of unease, uncertainty and vulnerability. Before any decision was taken on Puerto Rico's political future, powers must be fully transferred and repressive forces withdrawn. Those being persecuted included professionals, none of whom had a criminal record.

74. In February 2006, the FBI had raided the homes and offices of six pro-independence activists. Later the same day, it had attacked the press for covering one of the raids. It had refused to cooperate in official investigations into the assassination of Filiberto Ojeda Ríos and the press complaint, and had even withheld the names of the agents involved. It had not allowed the people whose homes and offices were being raided to be present. Their lawyers had been denied access to them and to the judicial order explaining the presumed justification for the raids. According to the Director General of the FBI in Puerto Rico, the raids had been part of an investigation into a complex terrorist plan against public and private property.

75. The independence movement had remained firm and serene in the face of such criminalization and harassment. Its members were not terrorists. They were just normal people who had given their lives to

building their nation. The colonial Government knew it and, despite its timid and belated efforts, had not been able to protect the civil rights of Filiberto Ojeda Ríos, the journalists under investigation or the comrades whose homes had been raided. His organization firmly denounced the United States Government's criminal intentions against the independence movement and called for Puerto Rico's case to be taken up by the General Assembly plenary as soon as possible.

76. *Mr. Sánchez withdrew.*

77. *At the invitation of the Chairman, Mr. Ramos Rosado (ProLibertad Freedom Campaign) took a place at the petitioners' table.*

78. **Mr. Ramos Rosado** (ProLibertad Freedom Campaign) said that his organization had been working to secure the freedom of Puerto Rican political prisoners and for the decolonization of Puerto Rico for the previous 12 years. The organization worked among various communities in the United States of America to educate, organize and mobilize support for those Puerto Ricans whose imprisonment for their political convictions and activities was a human rights violation.

79. The United States of America had taken no measures to implement the Committee's recommendations on Puerto Rico in the Second International Decade for the Eradication of Colonialism. Puerto Rico remained a colony and as such, its people suffered racism, discrimination and exploitation. While United States citizenship had been imposed on Puerto Ricans, they did not enjoy the right to vote in Presidential elections and were not represented in the United States Congress. They were at the mercy of United States foreign and domestic policy and had no control over their economic development. The United States repressed and monitored anyone it regarded as a threat to the colonial status quo. Those who could not be controlled were given lengthy prison sentences, or even assassinated in the case of Filiberto Ojeda Ríos.

80. The Puerto Rican political prisoners' human rights had been violated on several counts. They had been tortured and raped in prison. They had been denied medical treatment, placed in solitary confinement for prolonged periods, and denied the right to visits from family members and lawyers. Many high-profile individuals and organizations had stated that the imprisonment of those Puerto Ricans was a clear case of a human rights violation and supported their release.

81. It was difficult to understand how the United States of America could have fought for its own struggle for independence and self-determination against its colonizing power on the one hand, and yet justified repressing other peoples in Puerto Rico, Iraq, Afghanistan and elsewhere on the other. It was also ironic that the United States often condemned other countries for committing human rights violations, yet had colonized Puerto Rico, installed its military in Vieques and imprisoned or killed those who objected. The United Nations should take immediate action to end the colonial occupation of Puerto Rico. The demands of the people of Vieques should also be met, and all remaining Puerto Rican political prisoners should be released unconditionally.

82. *Mr. Ramos Rosado withdrew.*

83. *At the invitation of the Chairman, Mr. Guadalupe Ortiz (Vieques Sí) took a place at the petitioners' table.*

84. **Mr. Guadalupe Ortiz** (Vieques Sí) said that, during the decades-long struggle over the presence of the United States Navy on the island of Vieques, it had been clearly demonstrated that real power lay not with Puerto Rico's institutions, but with the United States Congress. The Puerto Rican courts had been unable to address the thousands of abuses committed by the Navy, as such abuses were outside their jurisdiction. The colonial legislature was equally pathetic and had no real power. Because of its colonial status, Puerto Rico did not have a government agency or department that could order the Navy to meet the demands of its residents.

85. In 2003, the United States Navy had been forced to leave Vieques. However, its presence was still felt, in the thousands of craters and unexploded bombs, toxins and incidences of cancer, skin diseases and respiratory problems. The Navy managed the so-called environmental clean-up through the Restoration Advisory Board (RAB), which had supposedly been established to facilitate public participation. However, the Board was headed by a military official and he took all major decisions. The Government of Puerto Rico had made no demands for greater participation by its citizens, who had no say regarding decisions.

86. The Navy was in the process of detonating bombs in the open air, despite the objections raised. Scientists had come up with alternative methods, but the Navy refused to use them. Since August 2005, there had been 66 detonations, representing over 20 tons of explosives.

Citizens were not given all the information they requested. He had recently received the following information from the Navy. First, unexploded munitions must be detonated on the spot; however, the Navy itself admitted that smaller munitions were detonated along with larger bombs, instead of in a detonation chamber. Second, according to its own, unsubstantiated data, the particles released into the air did not exceed healthy levels; however, none of the instruments used to measure the air had been placed near the civilian area. Third, measures were taken to prevent accidents among fishermen, including setting up buoys, alerting the coastguard and mounting a small maritime patrol; however, the patrol was conducted during, not before, the detonation. Lastly, the Navy notified the Federal Aviation Authority (FAA), environmental agencies and the municipal government, believing such notification to constitute a public notice; however, it refused to put up public notices in Vieques for fear that people would try to stop detonations through civil disobedience.

87. The Navy was not interested in a clean-up and was using so-called public participation to wear down citizens. By remaining silent, the colonial Government was acting as an accomplice. The Department of Health processed civilian studies on contamination levels very slowly. Neither the Navy nor the Government provided treatment for the sick, specialized medical equipment, or education and community health programmes. The current cancer rate might be as much as 50 per cent higher in Vieques than in the rest of Puerto Rico. He called on the Committee to reiterate its calls for a genuine clean-up in Vieques; the return of all its land; medical treatment for the sick; compensation for those affected by contamination; and the release of a number of patriots. Lastly, he condemned the assassination of Filiberto Ojeda Ríos.

88. *Mr. Guadalupe Ortiz withdrew.*

*Draft resolution A/AC.109/2006/L.7*

89. **Mr. Malmierca Díaz** (Cuba), introducing draft resolution A/AC.109/2006/L.7, said that despite the efforts of the Special Committee, the Puerto Rican people were still unable to exercise their legitimate right to self-determination. Moreover, the administering Power continued to do everything possible to consolidate its economic, political and social dominance over the island, and to assert that it was not appropriate for the Committee to consider the question of Puerto Rico.

90. However, the United Nations had made very clear that it did not support the position of the administering Power, as proven by the many resolutions and decisions adopted over the past 30 years. The Non-Aligned Movement had also repeatedly expressed its solidarity with the Puerto Rican people. The draft resolution expressed the Committee's deep concern at the violent acts recently committed against Puerto Rican independence fighters and urged that an investigation should be carried out. Those acts included the assassination of independence leader Filiberto Ojeda by FBI agents in September 2005.

91. As in previous years, the draft resolution also called for the release of Puerto Rican political prisoners from United States jails and reiterated the hope that the General Assembly would undertake a comprehensive review of the question of Puerto Rico in all its aspects. The need for such a review was becoming increasingly urgent.

92. The draft resolution before the Committee was not an accurate reflection of the position of Cuba and the Bolivarian Republic of Venezuela, which would have preferred to draft certain paragraphs differently and add other highly important elements. In submitting the draft, his delegation had been concerned to achieve consensus. The draft resolution was undoubtedly a step forward compared with resolutions adopted in previous years.

*The meeting rose at 1 p.m.*